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Filing date: **09/17/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

### Petitioner Information

Name	Proscape Technologies, Inc.		
Entity	Corporation	Citizenship	Pennsylvania
Address	1155 Business Center Drive Horsham, PA 19044 UNITED STATES		
Attorney information	Timothy D. Pecsénye Blank Rome LLP One Logan Square 130 N. 18th Street Philadelphia, PA 19103 UNITED STATES pecsenye@blankrome.com, bcraig@blankrome.com Phone:215-569-5619		

### Registration Subject to Cancellation

Registration No	3497033	Registration date	09/02/2008
Registrant	Transcensus, LLC 460 East 800 North Orem, UT 84097 UNITED STATES		

### Goods/Services Subject to Cancellation

Class 009. First Use: 2008/02/12 First Use In Commerce: 2008/02/12  
All goods and services in the class are cancelled, namely: computer application software and downloadable computer application software that delivers scripted software instructional content to assist software operators in performing specific tasks and processes

### Grounds for Cancellation

Abandonment	Trademark Act section 14
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Attachments	SHO PLAYER - Proscape Technologies, Inc. v. Transcensus, LLC - Petition to Cancel.pdf(31248 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Timothy D. Pecsénye/
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Name	Timothy D. Pecsénye
Date	09/17/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration of Transcensus, LLC

Registration No. : 3,497,033

Registration Date : September 2, 2008

Mark : SHO PLAYER

Cancellation No. : \_\_\_\_\_

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PROSCAPE TECHNOLOGIES, INC.,	:	
a Pennsylvania corporation,	:	
	:	
Petitioner,	:	
	:	
v.	:	Cancellation No.: _____
	:	
TRANSCENSUS, LLC,	:	
a Utah limited liability	:	
company,	:	
	:	
Registrant.	:	
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Hon. Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

Attn.: Trademark Trial and Appeal Board

**PETITION TO CANCEL REGISTRATION**

Petitioner Proscape Technologies, Inc. ("Petitioner"), a Pennsylvania corporation with a business address of 1155 Business Center Drive, Horsham, Pennsylvania 19044, believes that it is or will be damaged by Registration No. 3,497,033 (hereinafter, "Registrant's Mark"), owned by Registrant Transcensus, LLC ("Registrant"), a Utah limited liability

company with an address of 460 East 800 North, Orem, Utah 84097, and hereby petitions to cancel the same under the provision of Section 14 of the Trademark Act of July 5, 1946, as amended, 15 U.S.C. § 1064.

As grounds of this Petition, it is alleged that:

1. Petitioner is the owner of the following U.S. trademark applications: (1) Serial No. 85/925,412 for the mark SHOWPLAYERDROID, filed May 7, 2013; (2) Serial No. 85/925,422 for the mark SHOWPLAYER, filed May 7, 2013; and (3) Serial No. 85/925,426 for the mark ISHOWPLAYER, filed May 7, 2013 (hereinafter collectively, "Petitioner's Marks").

2. The Examining Attorney responsible for examining the applications to register Petitioner's Marks has cited Registrant's Mark as a basis for refusing registration of Petitioner's Marks under Section 2(d) of the Trademark Act.

**REGISTRANT HAS ABANDONED REGISTRANT'S MARK**

3. Petitioner repeats and realleges the allegations contained in paragraphs 1 and 2 above, as if fully set forth herein.

4. Upon information and belief, Registrant has discontinued use of Registrant's Mark in interstate commerce in the United States on or in connection with the goods identified in the registration with the intent not to resume such use.

5. Consequently, Registrant has abandoned Registrant's Mark, and Registrant's Mark is therefore subject to cancellation. See 15 U.S.C. § 1064(3).

6. For the reasons set forth in the foregoing paragraphs, Petitioner believes that it is or will be damaged by the continued registration of Registrant's Mark. Registrant's Mark should therefore be canceled.

WHEREFORE, Petitioner requests that this Petition be sustained and that Registration No. 3,497,033 be cancelled.

Respectfully submitted,

PROSCAPE TECHNOLOGIES, INC.

Date: September 17, 2014 By: \_\_\_\_\_



Timothy D. Pecsénye  
Bradford C. Craig  
Its Attorneys

BLANK ROME LLP  
One Logan Square  
130 N. 18th Street  
Philadelphia, PA 19103-6998  
(215) 569-5619 (t)  
(215) 832-5619 (f)

CERTIFICATE OF ELECTRONIC FILING


I hereby certify that this correspondence is addressed to the Trademark Trial and Appeal Board, Hon. Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451, and is being deposited via the Electronic System for Trademark Trials and Appeals (ESTTA) on September 17, 2014.

  
Bradford C. Craig

**CERTIFICATE OF SERVICE**

I, Bradford C. Craig, do hereby certify that I have on this 17th day of September 2014 served via first class United States mail, postage prepaid, the foregoing PETITION TO CANCEL REGISTRATION to the following:

Transcensus, LLC  
460 East 800 North  
Orem, UT 84097

  
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Bradford C. Craig